



BELLA VISTA

A place to call home

DEPARTMENT OF COMMUNITY
DEVELOPMENT SERVICES
616 WEST LANCASHIRE BLVD.
BELLA VISTA, AR 72715

PLANNING COMMISSION REGULAR MEETING

DATE: SEPTEMBER 12, 2016 AT 6:30 P.M.
LOCATION: BELLA VISTA CITY HALL CONFERENCE ROOM
101 TOWN CENTER
BELLA VISTA, AR 72714

AGENDA

I. CALL TO ORDER

II. ROLL CALL

Members: Daniel Ellis, PE, Chairman; Doug Farner, Vice-Chair; Jaime Kemp, Secretary; Don Robinson; Gail Klesen; Shawki Al-Madhoun, PE; and Theresa Neal.

III. MINUTES

A. Minutes from previous Regular Session: August 8, 2016

IV. PUBLIC INPUT

Members of the public are reminded that speakers are limited to 3 minutes for commenting on any item that is not scheduled for a public hearing on the agenda.

V. UNFINISHED BUSINESS

None

VI. NEW BUSINESS

- A. **PLA-2016-24023**; Property line Adjustment with easement dedications; Parcels 16-37766-000 and 16-37767-000; 16 and 17 Torrido Lane; Richard and Linda Swalve & Roger and Michelle Fox by Blew & Associates (Heath Myers)
- B. **CUP-2016-24068**; Conditional Use Permit for Temporary Structures during Arts and Crafts Festival on October 15-18; Parcel 18-10300-002 (Misty Baker)

VII. OPEN DISCUSSION

VIII. ANNOUNCEMENTS

- A. Next City Council Work Session will be held on Monday, September 19, 2016, at 5:30 PM in the Bella Vista City Hall Conference Room at 101 Town Center.
- B. Next regular meeting of the Board of Zoning Adjustment will be held on Tuesday, September 20, 2016, at 5:30 PM in the Bella Vista City Hall Conference Room at 101 Town Center.
- C. Next City Council Regular Session will be held on Monday, September 26, 2016, at 6:30 PM in the Bella Vista American Legion Hall at 1889 Bella Vista Way.
- D. Next Planning Commission Work Session will be held on Thursday, September 29, 2016, at 4:30 PM in the Bella Vista City Hall Conference Room at 101 Town Center.
- E. Next Planning Commission Regular Session will be held on Monday, October 10, 2016, at 6:30 PM in the Bella Vista City Hall Conference Room at 101 Town Center.

IX. ADJOURNMENT

Planning Commission Regular Meeting

DATE: AUGUST 8, 2016
LOCATION: CITY HALL CONFERENCE ROOM
101 TOWN CENTER
BELLA VISTA, ARKANSAS 72714

MINUTES

I. CALL TO ORDER

The meeting was called to order by Chairman Ellis at 6:30 PM.

II. ROLL CALL

Members present: Daniel Ellis, P.E., Chairman; Doug Farner, Vice-Chairman; Jaime Kemp, Secretary; Don Robinson; Theresa Neal.

Members absent: Gail Klesen; Shawki Al-Madhoun, P.E.

III. CONSIDERATION OF MINUTES

A. Regular Meeting Minutes – July 11, 2016.

On a motion by Ms. Kemp and a second by Mr. Farner, the July minutes were approved by voice vote.

IV. PUBLIC INPUT

A. LSD-2016-23999.

1. Mayor Christie said I would just like to address the police addition in LSD-2016-23999. The purpose of this request is because the Police Department has stuff being stored at Blue Mountain Storage in Bentonville. We have a whole trailer being storage somewhere else, and a whole bedroom stored somewhere else. Because of DNA rules, we have to keep some items for 99 years. There are also other requirements such as climate control. Rather than have this evidence stored in various places, Police Chief Farmer asked if there was any spare space behind the Street Department building, which is a good location considering how the neighbors were up in arms because we were going to put the streets building back there, but a little more to the right. This will hardly ever be accessed. So, we will have a big holding pen, and a climate controlled building, which is what you'll see off to the east. Beside that is this little 9 x 40 structure. We have started a new organization called Explorers. Explorers is actually run by the Boy Scouts. The purpose is to bring in young people from the community that are interested in pursuing a law enforcement career. They have the American Legion as their sponsor. They will actually volunteer, sit in with dispatch, and go through some police training. We have the program all laid out for them. It's very exciting. We started off with 6 members, and we are now up to 12. We are anticipating that we'll get more and more young people coming in, which is good. I was approached by the Sergeant Eric Palmer, who is in charge of the program, and thinks he can acquire a throw-away sea container. If you have ever seen a ship with all of the containers stacked up – that's the type of container.

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Very few of the containers ever go back to their source. They stay at their destination and are usually sold dirt cheap. We think we can get one of these containers for about \$1,200.00. Sergeant Palmer wants to set it up as a shooting range for the Explorers using BB guns. We have proposed to place the sea container next to the actual building because it will need heat, A/C, and electric. It will be painted to meet the ACC guidelines. We don't want it to sit out there looking like a big rust bucket. I apologize that I have come to you unannounced and last minute. This isn't in the 2016 budget. At Director Suneson's advice, if approved, we can build it into the 2017 budget.

2. Chairman Ellis asked if there are any other members of the public that wish to speak. Hearing none, the public input session was closed.

V. UNFINISHED BUSINESS

None.

VI. NEW BUSINESS

- A. *IS-2016-23982; Incidental Subdivision with Right-of-Way and Easement Dedications (in Planning Area); Parcel #18-07983-003; 9051 Commonwealth Road; Robyn Kirkland by Blew & Associates; Mike Sebo.*
 1. Chairman Ellis asked the applicant to please address the Planning Commission.
 2. Mr. Mike Sebo, Surveyor, said this is a basic split. The applicant is anticipating splitting off the 3 acres on the east side of the property and zoning it off. They were very specific about the acreage. We have dedicated right-of-way along Jack Crabtree Road and Commonwealth Road.
 3. Chairman Ellis asked are there any questions for the applicant. Hearing none, we will hear the Staff Report.
 4. Ms. Bingham said as previously stated, this is within the City's planning area (not the city limits). According to the Master Street Plan, Jack Crabtree Road is classified as a sub-collector, which required 50-feet of right-of-way. Commonwealth Road is classified as a Minor Arterial, which requires 80-feet of right-of-way. The plat shows the owner's half of the required right-of-way will be dedicated for both roads. The requisite easements are also shown on the survey. Both of these roads have public street access. Staff is recommending approval of this item with the following provisions: acceptance of the revised plat by the Owner(s); acceptance of the revised plat by the Utilities; and acceptance of the revised plat by City Council.
 5. Chairman Ellis asked if there are any questions for Staff.
 6. Ms. Kemp moved to approve IS-2016-23820 with Staff's recommendations for approval, and Mr. Robinson seconded the motion.
 7. Chairman Ellis asked for a roll call vote.

Neal - Yes
Robinson - Yes
Farner - Yes
Kemp - Yes
Ellis - Yes

Motion Passes 5-0.

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B. *LSD-2016-23999; Building Addition (for tire storage) and 1 New Building/Structure (police impound yard and evidence building) at City Street Department Site; Parcel #16-70311-000; 2471 Forest Hills Blvd.; Bella Vista City Street and Police Departments; Director Suneson.*

1. Chairman Ellis asked for the Staff Report.
2. Director Suneson said the Planning Commission began looking at this project back in 2014, just like I did. It has been a long time since then. We have completed a 19,360 square feet Street Department shop facility with office space, a fuel canopy, and a material bunker. Tonight we are asking for an extension of addition buildings on the Street Department site that were largely incorporated into the master planning first approved back in November or December of 2014. Rather than continue to fill the Commission's docket with several requests, Staff is requesting approval for several projects at the facility to be completed either this year or in 2017. These requests include: a 700 square foot expansion of the main building for tire storage; a three-sided and roofed equipment storage building totaling 4,500 square feet; a sand and salt storage building totaling 7,200 square feet; a police evidence storage building totaling 2,000 square feet and accompanied by a 100' x 100' fenced area; and a 360 square foot storage building. The site layout adheres to our Conditional Use Permit for governmental services in a C-2 district. The Planning Commission required that we retain a 100' setback along the eastern boundary in order to protect the neighborhood, as well as a berm that has been vegetated. Staff is recommending approval of this project, subject to the following conditions: the chain link fenced impound area to have slats to provide a level of screening from adjacent properties; and the northern boundary of the parcel in proximity to the impound facility shall be landscaped with additional evergreen trees/shrubs to provide additional screening.
3. Chairman Ellis asked if there are any questions for Staff.
4. Mr. Farner moved to approve LSD-2016-23999 with Staff's recommendations for approval, and Ms. Neal seconded the motion.
5. Chairman Ellis asked for a roll call vote.

Kemp - Yes
Robinson - Yes
Farner - Yes
Neal - Yes
Ellis - Yes

Motion Passes 5-0.

VII. OPEN DISCUSSION

A. *Trail Opening.*

1. Director Suneson said we have had a soft opening to our trail system.
2. Chairman Ellis said with great reviews, I might add.
3. Director Suneson said certain segments are still under construction and closed to the public at this time. So, be aware of the "trail is closed" signage. I hope you all as a group get out and explore some of those parts of Bella Vista not seen before. There's a lot more beauty in our community that you would think.
4. Chairman Ellis said there were great reviews on Facebook about the trails. There were several cars parked out on Buckingham on Sunday.

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5. Director Suneson asked if there were any parking issues. Chairman Ellis said no, not yet.
6. Mr. Robinson said he has been asked if there will be printed maps of the trails any time soon. Director Suneson said when we have finished construction of the trail system. Part of the Trailblazers efforts will be to give us GPS routing of all the trails and where they have been constructed. If you look at the aerial photography versus where the trails were planned, they are often skewed by about 10' to 20' in some areas. Once we obtain the GPS info, we will put it into our GIS system so that it can be reproduced, but at this time we don't have all that data.

VIII. ANNOUNCEMENTS

- A. *City Council Work Session will be held on Monday, August 15, 2016, at 5:30pm in the Bella Vista City Hall Conference Room.*
- B. *City Council Regular Session will be held on Monday, August 22, 2016, at 6:30pm in the Bella Vista American Legion Hall at 1889 Bella Vista Way.*
- C. *Planning Commission work / agenda session will be held on Thursday, September 1, 2016, at 4:30pm at the City Hall Conference Room.*
- D. *Planning Commission regular meeting scheduled for Monday, September 12, 2016, at 6:30pm at the City Hall Conference Room.*

IX. ADJOURNMENT

The meeting was adjourned at 6:45 PM.

SUBMITTED BY:

Brenda Jorgensen
Administrative Assistant
Community Development Services

APPROVED AND ACCEPTED THIS 12TH DAY OF SEPTEMBER, 2016.

Daniel Ellis, P.E., Chairman
Bella Vista Planning Commission

Jaime Kemp, Secretary
Bella Vista Planning Commission



BELLA VISTA

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DEPARTMENT OF COMMUNITY
DEVELOPMENT SERVICES

616 WEST LANCASHIRE BOULEVARD

BELLA VISTA, AR 72715

PHONE: (479) 268-4980

DATE: SEPTEMBER 12, 2016

TO: PLANNING COMMISSION; 2 SETS OF PROPERTY
OWNERS; SURVEYOR OF RECORD

RE: PROPERTY LINE ADJUSTMENT BETWEEN 16 AND 17
TORRIDO LANE; BELLA VISTA, AR 72715

STAFF REPORT

Owners: Roger and Michelle Fox
17 Torrido Lane
Bella Vista, AR 72715

Location: 17 Torrido Lane
Lot 9 Block 2 Eddleston Subdivision
Parcel: 16-37766-000

Owners: Richard and Linda Swalve
94 Forfar Drive
Bella Vista, AR 72715

Location: 16 Torrido Lane
Lot 10 Block 2 Eddleston Subdivision
Parcel: 16-37767-000

Surveyor: Blew & Associates, PA
c/o Heath Myers
524 West Sycamore Street; Suite 4
Fayetteville, AR 72703

Permit: PLA-2016-24023

Filed: July 29, 2016

Project Description: The owners of lot 9 are proposing to transfer a portion of their property to the owners of lot 10 because of an encroachment of items into an area that lot 10 already believed was part of their property. The Planning Commission must review the project under Municipal Code Section 107-128. The Planning Commission must approve, approve with conditions, or disapprove within sixty (60) days of receipt of the plat. Approval of a plat does not constitute acceptance by the public of any dedications unless such action is taken by the City Council.

Master Street Plan Analysis: Torrido Lane is classified as a residential street by the Master Street Plan. It does not require more right-of-way than is shown as existing on the plat.

Review Criteria: Municipal Code Section 107-130 provides eight (8) review criteria that all must be met for incidental subdivisions, lot splits, property line adjustments, and correction plats to addressed administratively. If all eight (8) requirements cannot be met, the plat must be reviewed by Planning Commission to make a recommendation to City Council, which then must approve (accept) or deny the plat. Following each review criteria is the Staff analysis in **bold**.

1. No new street or alley is required or proposed.
Torrido Lane is an existing public street.
2. No vacation of a street, alley, building setback, access control, or other easement is required or proposed.
There are no vacation actions planned or required as part of this project.
3. Such action will not result in any significant increases in public service requirements nor interfere with the maintenance of public service levels.
There will be a no increase in public service levels or maintenance.
4. There is adequate previously dedicated street right-of-way as required by these regulations as well as the Master Street Plan.
Torrido Lane is an existing public street.
5. All easement requirements have been satisfied.
New drainage and utility easements are required on both sides of the new (adjusted) lot line. All other property lines already have documented the required easements by the original

subdivision plat.

6. All lots created by the split have direct access to a public street.
Existing Torrido Lane is a public street, per the plat.
7. No substandard-sized lot or parcel shall be created.
The new parcels after the adjustment will both still meet all minimum size requirements of the R-1 zoning district.
8. No waivers or variances were requested.
There have been no variances or waivers applied for at this time.

Outstanding Comments: Those listed below are from Staff. There doesn't appear to be any outstanding comments from any of the Utility Companies servicing the area.

1. Correct the plat notes (from a previous property line adjustment plat) from Cooper Communities to match their requirements for this particular project.

Staff Recommendations for Approval: Staff recommends **conditional approval** of this item with the following provisions:

1. All outstanding Staff, Reviewing Engineer, and Utility comments are addressed.
2. Acceptance of the revised plat by all of the Owners.
3. Acceptance of the revised plat by all of the Utilities (as confirmed by placement of signature by each).
4. Acceptance of the revised plat by City Council.

Planning Commission Action: () Approve () Deny Date: _____

Additional Conditions of Approval ascribed to this development:

I/We hereby acknowledge that I/we have read the foregoing Conditions of Approval for this project, and agree to conform to them. I/We further acknowledge that failure to comply with these Conditions could result in: the revocations of permits, stop work orders, and/or other enforcement actions deemed necessary by the City of Bella Vista.

Owner Representative

Date

Richard Swalve

Linda Swalve

Roger Fox

Michelle Fox

Miscellaneous Notes

COMPLETED FIELD WORK:

JULY 29, 2016

BASIS OF BEARING:

ARKANSAS STATE PLANE, NORTH ZONE, NAD 83

REFERENCE DOCUMENTS:

1. WARRANTY DEED FILED IN DEED BOOK 2016 AT PAGE 19315.
2. SURVEY PLAT FILED IN PLAT BOOK 25 AT PAGE 25.

SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY

DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.

HATCHED AREA REPRESENTS LANDSCAPED AREA.



HATCHED AREA REPRESENTS APPROXIMATE LOCATION OF SEPTIC TANK.



CERTIFICATE OF OWNERSHIP

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC STREETS, ALLEYS, DRIVES, AND EASEMENTS AS SHOWN ON SAID PLAT.

SIGNED: _____	SIGNED: _____
NAME & ADDRESS: _____	NAME & ADDRESS: _____
NOTARY PUBLIC _____	NOTARY PUBLIC _____
SIGNED: _____	SIGNED: _____
NAME & ADDRESS: _____	NAME & ADDRESS: _____
NOTARY PUBLIC _____	NOTARY PUBLIC _____

DATE OF EXECUTION: _____

SOURCE OF TITLE: DEED RECORD: _____ PAGE: _____

ACKNOWLEDGMENT

STATE OF ARKANSAS
COUNTY OF BENTON

ON THIS DAY BEFORE THE UNDERSIGNED, A NOTARY PUBLIC DULY QUALIFIED AND ACTING IN AND FOR THE COUNTY AND STATE AFORESAID, PERSONALLY APPEARED

SATISFACTORILY PROVEN TO BE THE PERSON(S) WHOSE NAME(S) APPEARS(S) AS THE OWNER(S) IN THE FOREGOING INSTRUMENT, AND STATED THAT HE/SHE/THEY HAS/HAVE EXECUTED THE SAME FOR THE CONSIDERATION, USES AND PURPOSES, THEREIN STATED, IN WITNESS WHEREOF, I HEREBY SET MY HAND ON THIS _____ DAY OF _____, 20____.

MY COMMISSION EXPIRES: _____

NOTARY PUBLIC _____	NOTARY PUBLIC _____
NOTARY PUBLIC _____	NOTARY PUBLIC _____

CERTIFICATE OF SURVEYING ACCURACY

I, _____, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

SIGNED: _____
REGISTERED LAND SURVEYOR

DATE OF EXECUTION: _____

STATE OF ARKANSAS REGISTRATION NO. _____

CERTIFICATE OF APPROVAL

PURSUANT TO THE CITY OF BELLA VISTA SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVALS HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER AUTHORITY OF THE SAID RULES AND REGULATIONS.

SIGNED: _____
MAYOR, CITY OF BELLA VISTA

UTILITIES

SIGNED: _____
BVPOA OR ACC

SIGNED: _____
COX CABLE

SIGNED: _____
BVPOA WATER

SIGNED: _____
BVV WASTE WATER

Owner/Developer

PARCEL 16-37766-000
FOX, ROGER & MICHELLE
17 TORRIDO LN
BELLA VISTA AR 72715-5505

PARCEL 16-37767-000
SWALVE, RICHARD B & LINDA K
PO BOX 1029
DEWEY AZ 86327-1029

Zoning & Setback Information

CURRENT ZONING: R-E

BUILDING SETBACKS:
FRONT - 20'
SIDE - 10'
REAR - 20'

Adjacent Land Owners

1. SKAD USA PROPERTIES
LLC

840 E OAKLAND PARK
BOULEVARD
STE 124

OAKLAND PARK, FL 33334
LOT 11 BLOCK 2
PARCEL #16-37768-000
ZONED: R-1

2. JACKSON, VIRGIL W &
SELA VANDENBUSSCHE
TRUSTEES
50440 CYPRESS POINT
DRIVE
1A QUINTA, CA 92253
LOT 8 BLOCK 2
PARCEL #16-37765-000
ZONED: R-1

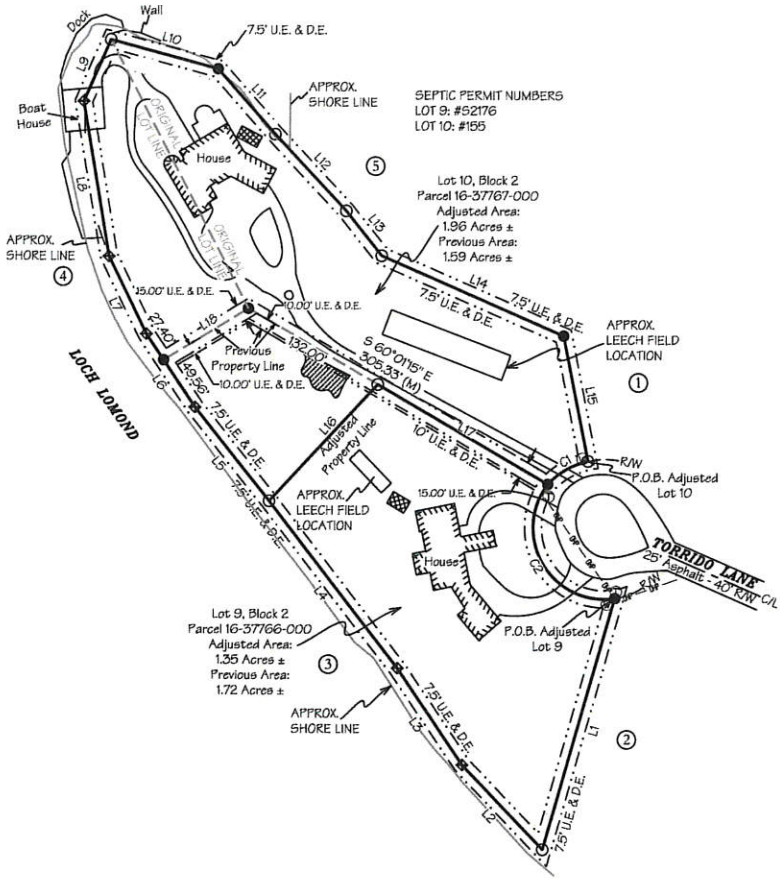
3. BVPOA
98 CLUBHOUSE DRIVE
BELLA VISTA, AR 72715
PARCEL #16-70285-000
ZONED: P-1

4. BVPOA
98 CLUBHOUSE DRIVE
BELLA VISTA, AR 72715
PARCEL #16-72502-000
ZONED: P-1

5. BVPOA
98 CLUBHOUSE DRIVE
BELLA VISTA, AR 72715
PARCEL #16-37839-001
ZONED: P-1



LOT LINE ADJUSTMENT



Legend of Symbols & Abbreviations

- APPROX. SHORE LINE
- PROPERTY LINE
- ROAD CENTERLINE
- RIGHT OF WAY
- BUILDING SETBACK
- UTILITY EASEMENT
- OVERHEAD POWER LINE
- PREVIOUS PROPERTY LINE
- SET/FOUND 1/2" REBAR
- TELEPHONE PEDESTAL
- ⊙ WATER METER
- * LIGHT POLE

Survey Description

PREVIOUS DESCRIPTION:

LOTS 9 & 10, IN A REPLAT OF LOTS 9 & 10, BLOCK 2, EDDLESTON SUBDIVISION TO THE CITY OF BELLA VISTA, FORMERLY KNOWN AS BELLA VISTA VILLAGE, BENTON COUNTY, ARKANSAS, AS SHOWN IN SURVEY RECORD 25 AT PAGE 25.

ADJUSTED DESCRIPTION LOT 9

A PART OF LOT 9, IN A REPLAT OF LOTS 9 & 10, BLOCK 2, EDDLESTON SUBDIVISION TO THE CITY OF BELLA VISTA, FORMERLY KNOWN AS BELLA VISTA VILLAGE, BENTON COUNTY, ARKANSAS, AS SHOWN IN SURVEY RECORD 25 AT PAGE 25, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT: BEGINNING AT THE EASTERNMOST CORNER OF SAID LOT 9, SAID POINT BEING A FOUND IRON PIN, AND RUNNING THENCE S13°59'44"W 229.56' TO A SET IRON PIN, THENCE N43°49'52"W 102.63', THENCE N34°05'34"W 102.32', THENCE N37°05'19"W 184.96', THENCE N38°40'52"W 104.78', THENCE N33°50'49"W 76.96', THENCE N26°10'21"W 75.36', THENCE N09°31'09"W 137.42', THENCE N25°48'45"E 59.22', THENCE N24°31'16"E 59.22', THENCE N23°28'25"E 95.05', THENCE S42°35'33"E 91.94', THENCE S42°35'33"E 91.94', THENCE S37°52'35"E 50.05', THENCE S66°59'46"E 175.24', THENCE S10°26'36"E 111.70', THENCE S11°12'46"E 111.56', THENCE S43°08'03"E 140.01', THENCE S60°01'15"E 173.33', THENCE S58°45'32"E 87.11', THENCE N43°49'52"W 102.63', THENCE N34°05'34"W 102.32', THENCE 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BELLA VISTA

A place to call home

COMMUNITY DEVELOPMENT

SERVICES DEPARTMENT

306 TOWN CENTER WEST

BELLA VISTA, AR 72714

PHONE: (479) 268-4980

DATE: SEPTEMBER 1, 2016

TO: PLANNING COMMISSION; APPLICANT REPRESENTATIVE

RE: CUP-2016-24068

BELLA VISTA ARTS AND CRAFTS FESTIVAL

PARCEL: 18-10300-002

STAFF REPORT

Owner:	Cooper Communities, Inc. 903 North 47 th Street Rogers, AR 72756	Applicant:	Village Art Club 312 Town Center West Bella Vista, AR 72714
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Filing Date: August 12, 2016

Parcel: 18-10300-002

Project: CUP-2016-24068

Location: 1991 Forest Hills Boulevard

Description of Request: This 83-acre parcel in the west-central part of town is currently vacant. The applicants have an agreement with the property owners for the erection of a series of tents to house various booths or stands containing original art and craft creations, food and related seating areas, and other festival-related uses if the City of Bella Vista agrees to grant a Conditional Use Permit. The operation of the festival will be very similar to the past 23 years that this festival has been held at this location.

Legal Notifications: Municipal Code Part II Chapter 109 Section 38(d)(2) requires the applicant for a conditional use to notify the public by three methods. At this time, the following have been completed.

- **Certified Letters:** Thirty-two (32) green receipts have been received by Staff. By August 31, 2016, twenty-three (23) postcards had been returned to the applicant by the adjacent property owners.
- **Certificate of Publication:** The legal ad was published in the Weekly Vista on August 24, 2016. The Affidavit of Publication was supplied to Staff by August 31, 2016.
- **Sign Posted:** Staff placed the sign on the property on September 6, 2016.

Temporary Use Standards of Approval:

1. No facilities shall be located nearer to a residential dwelling than 400 feet.
There are no residential dwellings within a 400 foot radius from where the vendors will park and setup. The area between the vendors parking and the residences on Cottage Lane is designated for public parking and may extend into the 400 foot radius.
2. The site shall have access drives so located to minimize traffic hazards.
This parcel has four driveways accessing Forest Hills Boulevard and two driveways accessing Rogers Road. RV and vendor trailers will have access to the driveways connecting Rogers Rd. Festival staff, vendors, and emergency vehicles will have access to the two southernmost driveways and the public will access the northernmost driveways accessing Hwy 279.
3. The applicant shall show that adequate measures will be taken to prevent odor, dust, noise, lights and traffic from becoming a nuisance to adjacent properties.
The applicant addressed the issues of glare, dust, and odors.
4. Each conditional use permit for such an enterprise shall be valid for a period of not more than 15 days and shall not be permitted for more than two such periods for same location within one calendar year.
The Arts & Crafts Festival will operate from October 13 to October 15 of this year. The total

length to be 3 days, well within the 15 annual allotted day limit.

Conditional Use Permit Standards for Approval: Municipal Code § 109-38(e) has established the following review criteria for conditional uses. Whether the standards are appropriate for the particular petition is at the discretion of the Planning Commission. Staff analysis and comments are in **bold** under each standard.

1. The proposed use shall be so designated, located, and operated so that the public health, safety, and welfare will be protected.
The proposed use, as presented in the application, fulfills the requirements of this standard.
2. The proposed land use shall be compatible with other area properties located nearby.
The proposed use is compatible with the adjacent properties in the immediate vicinity.
3. The proposed use shall be in compliance with the provisions of Municipal Code § 109-38, Conditional Uses.
The requirements found in Municipal Code §109-38 have been fulfilled.
4. The proposed use shall be in conformance with all applicable provisions stated in the Ordinance for the district in which the use is to be located. The use shall facilitate public convenience at that location.
The proposed use is in conformance to the applicable sections of the Municipal Code for the R-3 district under which public uses and community activity centers are permissible.
5. The proposed use shall be in conformance with all off-street parking and loading requirements of the ordinance, and ingress and egress and pedestrian ways shall be adequate.
The applicant has addressed the issues of parking, ingress, and egress. No parking improvements are needed as this use will not be creating new dwelling units, guest rooms, floor area, or seating.
6. Safeguards limiting noxious or offensive emissions, including light, noise, glare, dust, and odor shall have been addressed in the proposed use application.
The applicant has provided a letter stating that operation hours will run from 9am to 5pm all three days and will have a police officer on the site 24 hours each day.
7. Landscaping and screening of the proposed use shall be in accordance with the Ordinance regulations and the City of Bella Vista Landscaping Regulations.
Temporary uses do not require the installation of additional landscape screening.
8. Proposed use signage shall be in accordance with the provisions of the Sign Ordinance.
All signage is permitted through a separate application process from the conditional use permit.
9. Open space located on the proposed conditional use, in a non-residential property, shall be maintained by the owner/developer.
The applicant has provided a letter stating that all temporary fences and structures
10. The size and shape of the site, including size, shape, and arrangement of the proposed structure(s), shall be in keeping with the intent of this Ordinance.
The size and shape of the site does conform to the requirements of the R-3 zoning district outlined in Municipal Code.
11. The Planning Commission shall in no case authorize less than the minimum requirements of the Ordinance related to height, area, setbacks, parking, or landscaping.
The existing use conforms to the height, area, and setback requirements of the R-3 zoning district, and is exempt from the landscaping requirements, as mentioned above.
12. The Planning Commission shall not permit any use in a zone as a conditional use that is not permitted under the Zoning Ordinance or that defies the intent of that district.
Staff finds that this standard is not applicable to this conditional use permit proposal, since the existing use and structures are allowed as a conditional use in all zoning districts.

Staff Recommendations for Approval: Staff recommends **approval** of the conditional use permit with the following provisions:

- A master electrician shall pull an electrical permit for temporary power to the site.

- The applicant shall obtain a temporary sign permit for the proposed signage through the Community Development Services Department.

Planning Commission Action: () Approve () Deny Date: _____

Additional Conditions of Approval ascribed to this development:

I hereby acknowledge that I have read the foregoing Conditions of Approval for this project, and agree to conform to them. I further acknowledge that failure to comply with these Conditions could result in: the revocations of permits, stop work orders, and/or other enforcement actions deemed necessary by the City of Bella Vista.

Representative
Village Art Club

Date



October 13-15, 2016

312 Town Center West
Bella Vista, AR 72714
Phone: 479-855-2064
info@bellavistafestival.org
www.bellavistafestival.org

Celebrating our 48th Year!

August 16, 2016

Bella Vista Community Development Services
616 W Lancashire
Bella Vista AR 72715

The Village Art Club of Bella Vista, sponsor of the Bella Vista Arts and Crafts Festival, is requesting a temporary conditional use permit for the property described on the attached application from October 13 – 15, 2016. The Arts and Crafts Festival is the largest single event held in Bella Vista, celebrating its 48th year in 2016 (at this location since 1992).

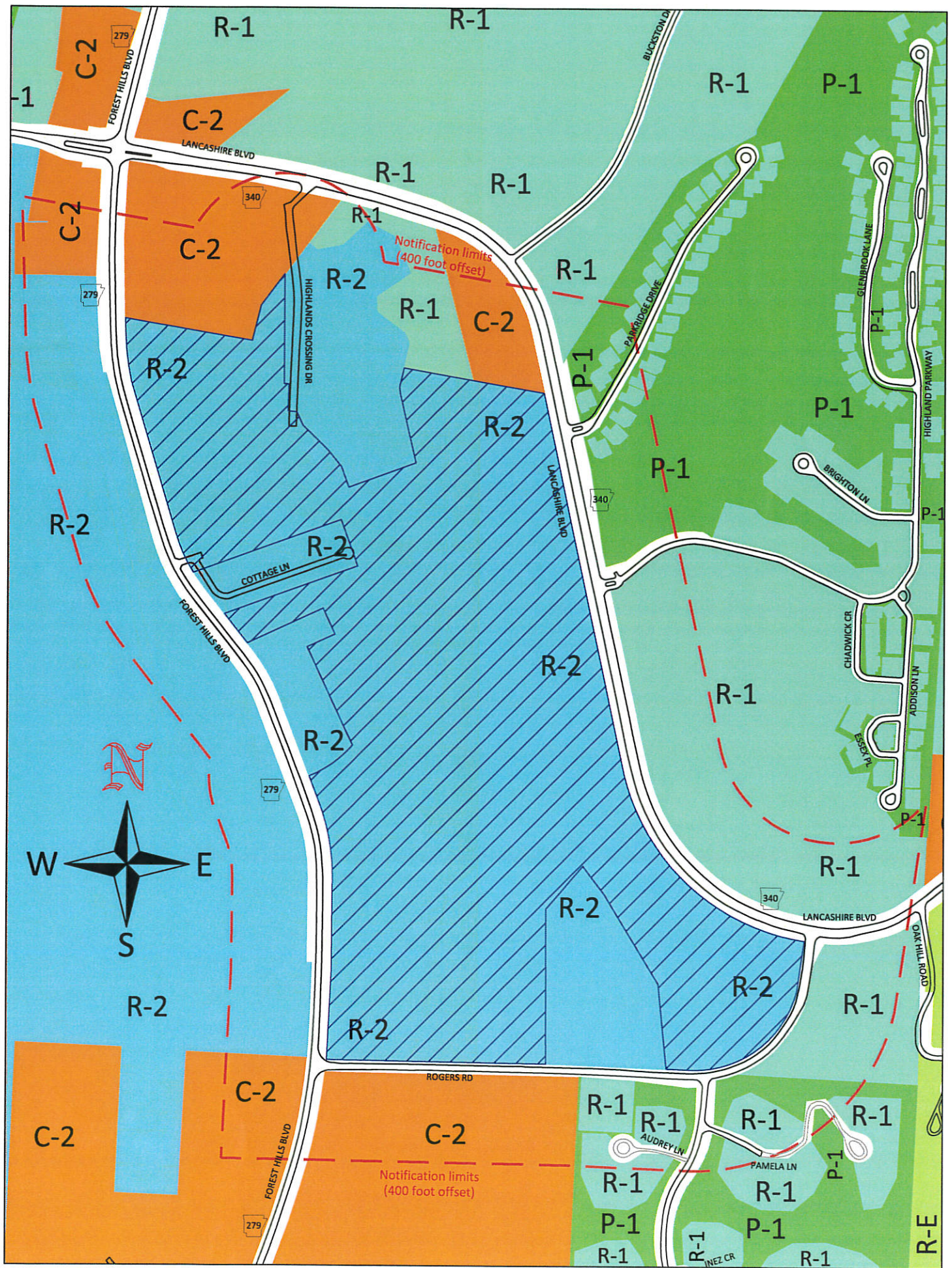
Site preparation for the Festival begins on Saturday, October 1 (erection of all temporary fencing) followed by the erection of the tents beginning on Tuesday October 4. The fencing and tents are all removed by October 24. No changes are made to the topography of the site and no building permits will be requested.

The Bella Vista Police Department has an officer on-site through-out the event 24 hours per day. Another officer provides traffic control from 9am – 5pm on the 13th, 14th and 15th. The Bella Vista Fire Department provides on-site EMT services throughout the Festival.

Sincerely,

Mary Sinkus, Director
info@bellavistafestival.org
479-855-2064

Encl.



Conditional Use Permit map

Arts/Crafts Festival

